IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 227 OF 2007

MR. MOHAMMAD BADRUDZA, VASCO DA GAMA, GOA. ... Petitioner

Versus

STATE OF GOA THROUGH CHIEF SECRETARY AND ANR., ... Respondents

Mr.S.D. Lotlikar, Sr. Advocate with Mr. S. Y. Thaly, for the Petitioner.

Mr. S.S. Kantak, AG with Mrs. W. Coutinho, Ga For R. 1

Coram:- S.A. BOBDE &
N. A. BRITTO, JJ.

Date:- 19th June, 2007

ORAL ORDER:

The learned Advocate General appears and points out the Notification No. 88-22-89/SWD/Vol.III/PART dated 30.01.2003 by which a Tribunal for the determination of any dispute, question or other matter relating to a Wakf property, has been constituted in the State of Goa with immediate effect. He also points out to another Notification No. 88-22-89/SWD/Vol.III/PART of the same date, appointing a Judge to function as Presiding Officer of the Tribunal under sub-section (1) of Section 83 of the Wakf Act, 1995 with immediate effect. The learned Advocate General states that the Tribunal is functioning and accepts the filing of disputes, if raised before it.

2. We are satisfied that in these circumstances, there is no cause to entertain this Writ Petition which proceeds on an erroneous assumption that there is no Tribunal for deciding the disputes which arise under the Wakft Act, 1995.

Hence the petition is dismissed.

S.A. BOBDE, J.

N. A. BRITTO, J.

sl.